



DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY MATERIEL COMMAND
5001 EISENHOWER AVENUE, ALEXANDRIA, VA 22333 - 0001

REPLY TO
ATTENTION OF

AMCPE-C

20 OCT 1999

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Personnel Issues Related to Hurricane Floyd

1. Enclosed are copies of the President's memorandum entitled Assistance for Federal Employees Affected by Hurricane Floyd, and the memorandums prepared by the Office of Personnel Management (OPM) and the Department of Defense concerning the same subject.

2. Together, these documents provide the authority and instructions for granting excused absence in support of the President's request that "employees who were affected by Hurricane Floyd be excused from duty without charge to leave or loss of pay." Explanation pertaining to premium pay for employees performing emergency work and the emergency leave transfer program is also provided.

3. The effective date for granting excused absence for Hurricane Floyd is 14 Sep 99.

4. The point of contact for this action is Teresa Greene, DSN, 767-3408 or (703) 617-3408.

5. AMC -- Your Readiness Command . . . Serving Soldiers Proudly!

FOR THE COMMANDER:

Encl

MELINDA McMILLON DARBY
Deputy Chief of Staff
for Personnel

DISTRIBUTION:

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AMCPE-I-O



FORCE MANAGEMENT
POLICY

ASSISTANT SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000



SEP 23 1999


**MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
DIRECTOR, ADMINISTRATION & MANAGEMENT
DIRECTORS OF THE DEFENSE AGENCIES
MEMBERS, DEFENSE PARTNERSHIP COUNCIL**

SUBJECT: Personnel Issues related to Hurricane Floyd

By memorandum of September 17, 1999, President Clinton expressed his concern about the devastating losses suffered as a result of Hurricane Floyd. The President requests that employees in the affected areas who are prevented from reporting to work or faced with a personal emergency because of the hurricane and who can be spared from usual responsibilities be excused without charge to leave or loss of pay. His request also applies to any employee who is needed for emergency law enforcement, relief, or clean-up efforts authorized by Federal, State, or other officials having jurisdiction. You are reminded that you may excuse employees for extended periods based on criteria contained in DoD 1400.25-M, DoD Civilian Personnel Manual, Subchapter 610, Hours of Duty.

The attached memorandum from the Director, Office of Personnel Management (OPM), provides guidance on excused absence, premium pay for employees performing emergency work, and the emergency leave transfer program. As indicated by OPM, agencies with employees affected by natural disasters are in the best position to administer the emergency leave transfer program and to quickly facilitate the transfer of donated leave. Therefore, addressees are authorized to administer emergency leave transfer programs within the guidelines established by OPM. This authority may be redelegated to appropriate levels consistent with existing leave administration policy. If donated leave within your component is not adequate to meet identified needs the Civilian Personnel Management Service will coordinate donations throughout the Department.

In addition, under authority delegated to me, I have determined that, effective September 14, 1999, these situations meet the emergency criteria within the meaning of title 5 United States Code (U.S.C.) 5547(b). Therefore, effective at the beginning of the first pay period including September 14, 1999, employees performing work directly related to Hurricane Floyd or its aftermath are paid under the annual limitation defined in 5 CFR 550.106. Law enforcement officers covered by the biweekly limitation in 5 U.S.C. 5547(c), are not affected by this authority. This limit will apply for the duration of the emergency or until otherwise notified.


Francis M. Rush, Jr.
Principal Deputy

Attachment:
As stated



ENCL



UNITED STATES
OFFICE OF PERSONNEL MANAGEMENT
WASHINGTON, DC 20415-0001

OFFICE OF THE DIRECTOR

SEP 17 1999

MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM:

Janice R. Lachance
JANICE R. LACHANCE
DIRECTOR

SUBJECT:

Hurricane Floyd

The following information is intended to bring you up to date on recent actions taken in response to the destruction caused by Hurricane Floyd, one of the most devastating storms of the century.

Excused Absence

President Clinton has signed a memorandum requesting that employees who are affected by Hurricane Floyd and its aftermath and who can be spared from their usual responsibilities be excused from duty without charge to leave or loss of pay. Specifically, the President requested that excused absence be granted to (1) employees who are needed for emergency law enforcement, relief, or clean-up efforts authorized by Federal, State, or other officials having jurisdiction, and (2) employees who are prevented from reporting for work or faced with a personal emergency because of Hurricane Floyd and its aftermath. This policy does not apply to Federal employee members of the National Guard or Reserves who are called up to assist. Military leave under 5 U.S.C. 6323(b) is appropriate for those employees. A copy of the President's memorandum is provided at attachment 1.

Emergency Leave Transfer Program

In addition, the President has authorized OPM to establish, if needed, an emergency leave transfer program to assist employees affected by this major disaster. An emergency leave transfer program would permit employees in an executive agency to donate unused annual leave for transfer to employees of the same or other agencies who are adversely affected by Hurricane Floyd and who need additional time off from work without having to use their own paid leave.

The emergency leave transfer program is authorized under 5 U.S.C. 6391 and is separate from the Federal leave sharing program established under 5 U.S.C. 6332 and 6362. Under the emergency leave transfer program, the use of donated leave is not restricted to medical emergencies, and approved leave recipients are not required to exhaust their own accrued and accumulated annual and sick leave before using donated annual leave. Employees may use leave donated under the emergency leave transfer program for personal needs or to care for a "family member" (as that term is defined in 5 CFR 630.902) who was affected by the emergency. In addition, donated leave may be substituted retroactively (beginning no earlier than the date of the emergency) for any period of leave without pay used as a result of the emergency or to liquidate an indebtedness incurred by an employee for advanced annual or sick leave used as a result of the emergency.

We believe the agencies with employees affected by Hurricane Floyd are in the best position to determine whether, and how much, donated annual leave is needed by their employees and to quickly facilitate the transfer of donated annual leave within their agencies. Therefore, in response to the President's directive, we are authorizing the affected agencies to do the following:

- (1) Determine whether, and how much, donated annual leave is needed by affected employees;
- (2) As appropriate, approve leave donors and/or leave recipients in their agencies;
- (3) Facilitate the distribution of donated annual leave from approved leave donors to approved leave recipients within their agencies.

Since most affected employees will be granted excused absence for the immediate emergency, the emergency leave transfer program will be in place to assist approved leave recipients as the need for donated leave becomes known. When a Federal agency notifies OPM that the amount of annual leave donated by its employees is not sufficient to meet the needs of its approved leave recipients, OPM will coordinate a Governmentwide transfer of donated annual leave from leave donors to leave recipients. We will provide agencies with additional guidance to facilitate the transfer of donated leave to the appropriate Federal agencies for transfer to approved leave recipients.

Premium Pay for Employees Performing Emergency Work

Agencies are reminded of their authority under the law (5 U.S.C. 5547(b)) and OPM regulations (5 CFR 550.106) to make exceptions to the biweekly premium pay limitation. When the head of an agency or his or her designee determines that an emergency posing a direct threat to life or property exists, an employee who is performing overtime work in connection with the emergency *must be paid* premium pay under the *annual* limitation of GS-15, step 10, rather than the GS-15, step 10, biweekly limitation.

We encourage agencies to exercise this authority in the case of any employee who performs emergency overtime work in connection with Hurricane Floyd and its aftermath. Agency heads are required to make the determination as soon as practicable and to make entitlement to premium pay under the annual limitation effective as of the first day of the pay period in which the emergency began. (Law enforcement officers continue to be covered by a separate biweekly limitation at 5 CFR 550.107.)

Questions may be referred to OPM's Pay and Leave Administration Division on (202) 606-2858 or by email at payleave@opm.gov.

Attachment

THE WHITE HOUSE

WASHINGTON

September 17, 1999

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WHITE HOUSE LIAISON

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Assistance for Federal Employees Affected by
Hurricane Floyd

I am deeply concerned about the devastating losses suffered by many as a result of Hurricane Floyd. Many parts of the Federal Government have been mobilized to respond to this disaster.

As part of this effort, I ask the heads of executive departments and agencies to excuse from duty without charge to leave or loss of pay those Federal civilian employees who are affected by Hurricane Floyd and its aftermath and who can be spared from their usual responsibilities. Specifically, I request that excused absence be granted to employees who are needed for emergency law enforcement, relief, or clean-up efforts authorized by Federal, State, or other officials having jurisdiction and employees who are prevented from reporting for work or faced with a personal emergency because of Hurricane Floyd and its aftermath.

I am also authorizing the Office of Personnel Management (OPM) to determine whether there is a need to establish an emergency leave transfer program to assist employees affected by this major disaster. An emergency leave transfer program would permit employees in an executive agency to donate their unused annual leave for transfer to employees of the same or other agencies who were adversely affected by Hurricane Floyd and who need additional time off for recovery. If the need for donated annual leave becomes evident, I direct OPM to establish the emergency leave transfer program and provide additional information to agencies on the program's administration.

William J. Clinton

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